

1  
2  
3 UNITED STATES DISTRICT COURT  
4 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
5 OAKLAND DIVISION

6 CALIFORNIANS FOR DISABILITY RIGHTS,  
7 INC., et al.,

8 Plaintiffs,

9 vs.

10 CALIFORNIA DEPARTMENT OF  
11 TRANSPORTATION, et al.,

12 Defendants.  
13

Case No: C 06-5125 SBA

**ORDER RE FILING OF  
STIPULATIONS AND  
CERTIFICATION OF MEET AND  
CONFER**

14  
15 In accordance with the Court's rulings made during the proceedings held on September 21,  
16 2009,

17 IT IS HEREBY ORDERED THAT:

18 1. The Court's Order re Dismissal of Complaint System Claim, filed September 18,  
19 2009 (Docket 430), is VACATED. The parties shall submit a stipulation regarding the disposition  
20 and further handling of such claim.

21 2. The parties shall meet and confer forthwith regarding Plaintiffs' contentions with  
22 respect to Design Information Bulletin (DIB) 82-03.<sup>1</sup> The parties shall submit a certification of  
23 counsel to verify that they have met and conferred as ordered.  
24  
25  
26

---

27 <sup>1</sup> To the extent that Defendants have concerns regarding their ability to prepare for trial as  
28 to issues or evidence which they contend should have been disclosed sooner, they are authorized to  
meet and confer with Plaintiffs for the purpose of accommodating such concerns, if any.

---

1           3.       The parties shall submit a stipulation memorializing their agreed-upon revision to  
2 DIB 82-03 with respect to the issue the accessibility of highway shoulders intended for pedestrian  
3 use.

4           4.       The parties shall file the two aforementioned stipulations and the certification of  
5 counsel by no later Noon on Wednesday, September 23, 2009. The stipulations and certification  
6 may be submitted separately or in a single document.

7           5.       The parties are ordered to appear before Magistrate Judge Elizabeth LaPorte for a  
8 further mandatory settlement conference on Tuesday, September 22, 2009, at 1:30 p.m. at 450  
9 Golden Gate Ave., San Francisco, California 94102. The parties are directed to comply with any  
10 further orders issued by Judge LaPorte in connection with those settlement proceedings.

11          6.       Trial in this action is in recess and shall resume on Monday, October 5, 2009 at 8:30  
12 a.m.

13               IT IS SO ORDERED.

14 Dated: September 21, 2009

  
SAUNDRA BROWN ARMSTRONG  
United States District Judge